

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DARRYL C. FORMAN,

Petitioner,

vs.

WARDEN LEON FORNISS, et al.,

Respondents.

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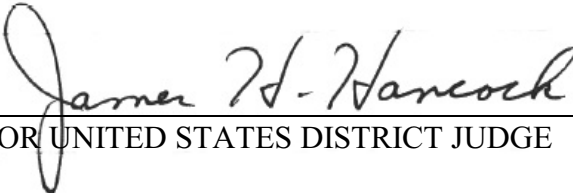
CIVIL ACTION NO. 08-JHH-RRA-1105-S

MEMORANDUM OPINION

This is a habeas corpus petition. The magistrate judge entered a report and recommendation recommending that the action be dismissed because it is barred by the statute of limitations. No objections have been filed. The court has considered the entire file in this action, including the report and recommendation, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved.

Accordingly, the court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. This habeas petition is due to be dismissed. An appropriate order will be entered.

DONE this the 12th day of January, 2010.



SENIOR UNITED STATES DISTRICT JUDGE